

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SPEECH FIRST, INC.,

Plaintiff,

v.

Case No. 1:18-cv-1078-LY

GREGORY L. FENVES, et al. ,

Defendants.

DECLARATION OF NICOLE NEILY

1. I am the President of Speech First, Inc.
2. Speech First is a nationwide membership organization of students, alumni, and others that is dedicated to preserving civil rights secured by law, including the freedom of speech guaranteed by the First Amendment to the U.S. Constitution. In particular, Speech First seeks to protect the rights of students and others at colleges and universities, through litigation and other lawful means.
3. Speech First has a number of members who are current students at the University of Texas at Austin.
4. I am personally familiar with several of Speech First's members at the University.
5. Speech First's members at the University range in age from freshmen to seniors.
6. Speech First's members hold a wide array of different views and opinions on matters such as politics, race, religion, gender identity, abortion, gun rights, immigration, foreign affairs, and countless other sensitive and controversial topics.

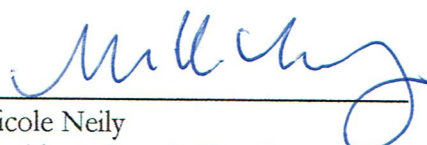
7. Speech First's members at the University want to be able to have open and robust intellectual debates and discussions about these issues in their dormitories, on campus, online, and in the City of Austin.

8. Yet Speech First's members are afraid to voice their views out of fear that their speech may be considered "offensive," "biased," "rude," "uncivil," or "harassing," under the Institutional Rules, the Acceptable Use Policy, and the Residence Hall Manual. Speech First's members fear that they will be investigated or punished by the University for engaging in speech or expression that is protected by the First Amendment.

9. Speech First has brought this suit to ensure that its members and other students at the University will not face investigations or discipline for engaging in the open and vigorous exchange of ideas that is at the core of the First Amendment merely because a University official or another student finds their views "offensive," "biased," "rude," "uncivil," or "harassing,"

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on December 21, 2018.



Nicole Neily
President, Speech First, Inc.